

02-21-10270075-021902

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10/079875
02/19/02

**UTILITY PATENT
APPLICATION
TRANSMITTAL**

*(Only for new nonprovisional
applications under 37 CFR 1.53(b))*

PATENT

Attorney Docket No. A34001-A / 072396.0222

First Named Inventor Montelaro et al.

Express Mail Label No. **EU206386185US**

Total Pages: 83

February 19, 2002

BY EXPRESS MAIL - Label No. EU206386185US

Box: Patent Application
Assistant Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

Sir:

Enclosed herewith for filing is a patent application of MONTELARO et al. entitled "VIRUS
DERIVED ANTIMICROBIAL PEPTIDES" which includes:

<input checked="" type="checkbox"/> Specification	<u>40</u> Total Pages
<input checked="" type="checkbox"/> Claims	<u>2</u> pages
<input checked="" type="checkbox"/> Abstract	<u>1</u> page
<input checked="" type="checkbox"/> Drawings	<u>13</u> sheets
<input type="checkbox"/> formal	
<input checked="" type="checkbox"/> informal (Figs. 1-13)	
<input checked="" type="checkbox"/> Combined Declaration and Power of Attorney	<u>4</u> pages
<input type="checkbox"/> Newly executed (original or copy)	
<input checked="" type="checkbox"/> Copy from a prior application	

[X] If a continuing application, check appropriate box:

☐ Continuation ☐ Divisional ☒ Continuation-In-Part
of prior application Serial No. 09/785,058 and 09/785,059.

☐ Amend the specification by inserting, before the first line, the following sentence:

"This is a ☐ continuation ☐ divisional ☐ continuation-in-part
of copending application Serial No _____ filed _____, and which is hereby incorporated by
reference in its entirety.

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A34355-A / 070015.0189

☒ The entire disclosure of the prior applications is considered as being part of the disclosure of the accompanying application and are hereby incorporated by reference therein.

☒ An Assignment of the invention to the University of Pittsburgh
☐ is attached. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
☐ will follow.
☒ has been filed in the prior application and a copy is provided. 2 pages

☒ Small Entity Status is claimed.
☐ is/are attached.
☐ Small Entity Statement filed in prior application. Status still proper and desired.
☐ will follow.

☒ Information Disclosure Statement 5 pages
☒ PTO Form 1449 4 pages
☒ Copies of IDS Citations.
☐ Copies of IDS Citations are not required.

Also accompanying this patent application are:

☐ Application Data Sheet
☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
☒ Nucleotide and/or Amino Acid Sequence Submission and disk 5 pages
☐ Preliminary Amendment pages
☐ Non-Publication Request
☒ Return Receipt Postcard
☐ Other:
☐ Cancel in this application original claims of the prior application before calculating the filing fee.

The filing fee has been calculated as shown below:

FOR	(Col. 1)			(Col. 2)			Small Entity		OR	Other Than A Small Entity	
	No. Filed			No. Extra			Rate	Fee		Rate	Fee
Basic Fee	\$740.00							\$370.00			\$0.00
Total Claims	69	-20	=	49	x	9 =	\$441.00		>	18 =	\$0.00
Ind. Claims	13	-3	=	10	x	42 =	\$420.00		>	84 =	\$0.00
Multiple Dependent Claim							+ 140 =	\$140.00	-	280 =	.00
							Total	<u>\$1371.00</u>			<u>\$0.00</u>

* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

Fee:

☐ Enclosed

☒ Basic filing fee \$1371.00

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A34355-A / 070015.0189

[X] Recording Assignment \$40.00
 [\$40.00; 37 CFR 1.21(h)]

Total Fees Enclosed \$1411.00

[X] A check in the amount of \$1371.00 and \$40.00 to cover filing fee and recordation fee is enclosed.
 [] Please charge our Deposit Account No. 02-4377 in the amount of _____. Two copies of this sheet are enclosed.

Priority:

- [] Priority of application Country United States , which is based on International Application No. _____, which is claimed under 35 U.S.C. 119.
 [] Certified Copy of Priority Document(s) Country __, Appln No. __, filed __.
 [] has been filed in the parent application S/N _____.
 [] is/are attached.
 [] will follow.

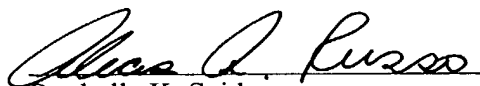
[X] The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16, 1.17, and 1.21(h) associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

[X] The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

[] The Commissioner is conditionally authorized to charge payment of any fees associated with this application or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Montelaro et al. Filing Date: February 19, 2002
Serial No.: TBA Group Art: TBA
Title of Invention: VIRUS DERIVED ANTIMICROBIAL PEPTIDES

SUBMISSION OF SEQUENCE LISTING AND DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

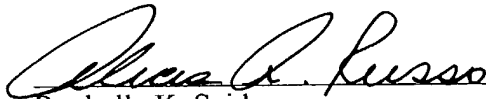
Sir or Madam:

Applicant submits herewith a Sequence Listing in paper and computer readable form for the above-identified application submitted concurrently herewith.

I hereby state that the content of the paper and computer readable copies of the Sequence Listing submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same.

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted herewith in accordance with 37 C.F.R. § 1.82(f), does not include new matter.

Respectfully submitted,



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